

# FairTest

National Center for Fair & Open Testing

## Less Testing, More Learning

Testimony to the U.S. Senate Health, Education, Labor and Pensions Committee

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Dear Chairman Alexander, Ranking Member Murray, and Members of the Committee:

No Child Left Behind (NCLB) requires that states test every student in every grade 3-8 and attach punitive sanctions to results. The result has been damage to educational quality and equity. The harm has been most severe for the students in low-income communities the Elementary and Secondary Education Act (ESEA) is intended to help.

NCLB was intended to accelerate school improvement. But, despite enormous pressure to raise reading and math test scores, the rate of progress on the National Assessment of Educational Progress (NAEP) at grades 4 and 8 was generally faster in the decade before NCLB took effect than under this law. (See <http://www.fairtest.org/independent-test-results-show-nclb-fails>). That is also a consistent trend for most demographic groups, including Blacks, English Language Learners (ELLs) and students with disabilities. Score gaps between whites and other groups in 2012 were no narrower and often wider than they were in 1998 and 1990.

Nor did NLCB lead to gains on NAEP for high school students. Scores were highest for blacks and gaps the narrowest in 1988. Hispanic scores and gaps have also stagnated under NCLB. Further, SAT scores declined from 2006 to 2014 for all demographic groups except Asians, while ACT scores have been flat since 2010 for all demographic groups.

These results alone would be reason to acknowledge that NLCB has failed and that both sanctions and testing need to be overhauled. But the consequences of NCLB are even worse.

Increased testing coupled with punitive sanctions caused a wide range of damage. The harm includes narrowed curriculum, teaching to the test, pushing out low-scoring children, and cheating. (See <http://fairtest.org/NCLB-lost-decade-report-home>). States and especially districts greatly expanded their own mandated testing in an effort to stave off sanctions. The Council of Chief State School Officers recently reported students are subject to an average of 113 tests between kindergarten and high school graduation. (See <http://www.npr.org/blogs/ed/2014/11/17/362339421/testing-how-much-is-too-much>). In many

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large cities, students take 10, 20 and more tests in each grade. NCLB also marginalized promising alternative assessments whose expanded use was beginning to improve teaching, schools and learning.

The evidence shows that NCLB has left many children behind, especially those whom ESEA was designed to help. Continuing to require every grade testing will perpetuate the damage. Congress should not lock states into another decade of excessive and counter-productive testing.

Unfortunately, the situation is growing worse. The U.S. Department of Education's NCLB "waivers" require "value-added" and "growth" measures for judging every single teacher. Research shows this test misuse can be as inaccurate as a coin toss. (See <http://fairtest.org/teacher-evaluation-fact-sheet-2014>). This requirement is further intensifying teaching to the test and causing a massive expansion of standardized exams as states force districts to carry out the policy. Miami-Dade, Florida, reports it must write 1600 new tests to meet this unfunded mandate, a requirement the Superintendent called "insanity." (See <http://www.nytimes.com/2014/11/10/us/states-listen-as-parents-give-rampant-testing-an-f.html>.) Fortunately, neither the proposed House bill nor Sen. Alexander's draft bill requires states to continue this program. This renders unnecessary a requirement to test in every grade to obtain scores with which to evaluate educators.

Ending punitive sanctions is an essential step, but it alone will not end the pressure to narrow curriculum and teach to the test. Inertia, the weight of experience under NCLB, will perpetuate the problem. Research prior to NCLB, such as that conducted by Boston College researchers, found that even public reporting induced increased teaching to the test. At a minimum, states should be free to take stronger steps to reduce pressure to teach to the test by ending the every-grade requirement.

The new "college and career ready" tests states and consortia are now implementing will not solve the problems. Even if they are a modest improvement over current exams, none are good enough to make the focus of instruction. They assess far too little of what students should know and be able to do to succeed in college, career and civic life, while narrowed curriculum and other harms will continue.

For these very good reasons, other economically advanced nations do not require testing in more than three grades. They also do not use student scores to judge teachers and schools. Clearly, requiring every-grade tests is not necessary to ensure high-quality schools.

Test proponents seem to believe that parents cannot know how their children are doing without yearly standardized exams. But teachers evaluate and grade students regularly. Research clearly demonstrates that student grades are better predictors of college success than are test scores. Parents do not need annual scores for every grade. Their children need good teachers and schools, ones that do not reduce learning to what is most easily measured. If they do not have them, improvement requires vastly more than focusing on test results.

The federal government has a legitimate role in helping ensure all children receive a strong education. It should neither leave all decisions up to the state nor act as the nation's school board. What, then, is the proper balance? What should Congress support and require?

It should allow states to use federal funds for assessments that enhance learning as well as provide information for parents and public reporting. Sen. Alexander's 'Option 1' accomplishes

this. Congress should not functionally block states, districts and schools from making changes that support rather than undermine enhanced outcomes.

One highly relevant example is the New York Performance Standards Consortium, which has a waiver from all state-mandated exams except English Language Arts for its dozens of public high schools. Instead, students graduate by completing individuated performance tasks in language arts, math, science and history. These tasks require the extended work, research, critical thinking and problem solving students need for success in the real world. While Consortium schools mirror New York City's diversity, every demographic group graduates at higher rates. Higher percentages of graduates also enroll in college. More than the national average of their enrollees remains in college for third semester and beyond.

These and other high-quality assessments could flourish if allowed by federal law. NCLB killed many similar forms of assessment and marginalized others. It is time for Congress to help repair this damage.

FairTest chairs the national Forum on Educational Accountability (FEA), which has shared language on accountability and school improvement with the HELP committee (see <http://www.fairtest.org/fea-recommendations-improving-federal-law-january>). The FEA proposals would redefine accountability and lead to a focus on improvement, not punishment.

For accountability, states and districts would be required to assess the adequacy of resources available to schools, the nature and scope of improvement efforts, and the results of those efforts. States would report on key indicators in these areas and how the state itself is using this evidence to improve schools, particularly those that are in need of assistance. This is an expansion of accountability from Sen. Alexander's draft, but one that does not put states or districts in a straight-jacket.

To promote improvement, FEA has identified "common elements" found in high-quality schools and successful turnarounds. FEA's proposals would require states to assist the lowest-performing five percent of schools in implementing, as needed, these common elements. They include leadership, curriculum, instruction, professional learning, school climate, disciplinary practices, parent and community engagement, and wrap-around services. While this, too, would expand federal requirements beyond Sen. Alexander's bill, the FEA proposal does not specify the actions localities and states must take, but rather the important areas they must address.

In conclusion, FairTest calls on the Senate HELP Committee to:

- Allow states to use grade-span testing and the other means for assessment flexibility and improvement described in Sen. Alexander's "Option 1."

- Overhaul accountability and improvement in line with the recommendations of the Forum on Educational Accountability.

Our children, our communities and our nation deserve a strong, effective ESEA. FairTest believes these recommendations are the basis for revising the current federal education law, and they provide a basis for bridging divisions within and between our political parties.

FairTest will be pleased to answer questions and discuss the ideas presented in this brief. You may reach me at [monty@fairtest.org](mailto:monty@fairtest.org), 617-477-9792.